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Paper # 5

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In re Application of
Bruce D. Gaynor, et al.
Application No. 08/833,838
Filed: April 10, 1997
Attorney Docket No. 96700/451

DECISION ON PETITION

This is a decision on the petition filed September 17, 1999, which, for reasons indicated below, is being treated as a petition to withdraw the holding of abandonment in the instant application.

The petition is granted.

This application was held abandoned for failure to timely respond to the Office action mailed October 6, 1997. However the holding of abandonment was improper since the Office received, on December 3, 1997 a check in the amount of \$953 to cover the basic filing fee, fee for additional claims, and surcharge for the above mentioned application. Unfortunately, this information was not associated with the file until after the mailing of the Notice of Abandonment. Since the response was timely filed, the holding of abandonment has been withdrawn and the application restored to pending status.

In view of the above it is clear that you have complied with all of the requirements for the filing of this application; therefore, a filing receipt will be issued promptly.

A handwritten signature in cursive script, appearing to read "Betty L. Robinson".

Betty L. Robinson
Office of Initial Patent Examination